

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RICHARD GILBERT GUTIERREZ,

Plaintiff,

v.

BORISH, et al.,

Defendants.

No. C 07-3939 RMW (PR)

JUDGMENT

The court has closed the instant civil rights action because the complaint filed on July 31, 2007 was mistakenly opened as a new case, rather than being filed in plaintiff's pending civil rights action, case no. C 07-3834 RMW (PR). A judgment of dismissal without prejudice is entered. The clerk shall close the file.

IT IS SO ORDERED.

DATED: 8/7/2007

/s/ Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

1 This is to certify that on 8/8/2007, a copy of this
2 ruling was mailed to the following:

3 Richard Gilbert Gutierrez
4 PFN# CNS 503
5 Santa Clara County Jail
150 West Hedding Street
San Jose, CA 95110